CHAPTER 1: INTRODUCTION

1.1 Introduction

The Magnuson–Stevens Fishery Conservation and Management Act (MSA) is the principal federal statute providing for management of the U.S. marine fisheries including those within the exclusive economic zone (EEZ). The inner boundary of the EEZ is the seaward limit of each of the coastal states, commonwealths, territories, or possessions of the United States. The EEZ extends from this inner boundary to 200 miles offshore. The management of the fishery resources in the waters of the EEZ is vested in the Secretary of Commerce (Secretary) and in eight regional fishery management councils. Each council has authority over fisheries in specific coastal regions. The area under the jurisdiction of the Western Pacific Fishery Management Council (also known as the Western Pacific Regional Fishery Management Council or Council), which is collectively referred to as the Western Pacific Region, includes the waters of the EEZ surrounding the State of Hawaii, the Territory of American Samoa, the Territory of Guam, the Commonwealth of the Northern Mariana Islands, and the U.S. Pacific Remote Island Areas.[4]

As promulgated under the MSA, the councils are responsible for the preparation of fishery management plans (FMPs) or amendments to those FMPs for each fishery under their authority that requires conservation and management. The councils transmit these FMPs to the National Marine Fisheries Service (NMFS), acting on behalf of the Secretary, for review and approval, disapproval, or partial approval. Once approved, NMFS implements the FMP through regulations and enforcement. Federal fisheries in the Western Pacific Region are currently managed under five species-based FMPs[5]: Pelagics, Bottomfish and Seamount Groundfish, Coral Reef Ecosystems Crustaceans, and Precious corals.

1.2 FMP for Bottomfish and Seamount Groundfish

The combined FMP, environmental assessment, and Regulatory Impact Review for the Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region (commonly referred to as the Fishery Management Plan for Bottomfish and Seamount Groundfish of the Western Pacific Region or Bottomfish FMP) was prepared by the Council and approved by the Secretary in 1986. The Bottomfish FMP established a moratorium on the commercial harvest of seamount groundfish stocks at the Hancock Seamounts in the Northwestern Hawaiian Islands (NWHI), the only exploitable seamount groundfish (e.g. alfonsin) habitat in the Western Pacific

[4] The U.S. Pacific Remote Island Areas (PRIA) includes Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Island, Wake Island, and Palmyra Atoll.

[5] On November 10, 2005 (70 FR 68443), the Environmental Protection Agency (EPA) published a notice announcing the availability for public review the Draft Programmatic Environmental Impact Statement (DPEIS)—Towards an Ecosystem Approach for the Western Pacific Region: From Species-Based Fishery Management Plans to Place-Based Fishery Ecosystem Plans, dated October 27, 2005. The proposed federal action in the DPEIS would be the realignment of the existing fishery regulations contained in the Western Pacific Region's five species-based FMPs into geographically-based fishery ecosystem plans (FEPs) regulations. At its 130th meeting (December 20, 2005), the Council adopted the FEPs and recommended that Council staff incorporate comments from local resource management agencies and from the public into the FEPs prior to transmittal to NMFS for Secretarial review. See Section 1.7.2 of this DSEIS for more information.

Region. This moratorium remains in effect until August 31, 2010 (69 FR 51400). Consequently, there currently is no seamount groundfish fishery in the Western Pacific Region. The Bottomfish FMP also implements a permit system for bottomfish fishing in the EEZ around the NWHI and establishes a bottomfish fishery management framework that includes measures such as catch limits, size limits, area or seasonal closures, fishing effort limitation, fishing gear restrictions, access limitation, permit and/or catch reporting requirements, and a rules-related notice system (see Section 3 for the list of FMP regulations). Table 2 provides the current list of Bottomfish Management Unit Species (BMUS).

Table 2: Bottomfish Management Unit Species (BMUS).

Common Name	Local Name	Scientific Name
Snappers		
Silver jaw jobfish	*Lehi* (H), *palu-gustusilvia* (S)	*Aphareus rutilans*
Grey jobfish	*Uku* (H), *asoama* (S)	*Aprion virescens*
Squirrelfish snapper	*Ehu* (H), *palu-malau* (S)	*Etelis carbunculus*
Longtail snapper	*Onaga*, *ulạula* (H), *palu-loa* (S)	*Etelis coruscans*
Blue stripe snapper	*Tạape* (H), *savane* (S); *funai* (G)	*Lutjanus kasmira*
Yellowtail snapper	*Yellowtail kalekale* (H), *palu-i iusama* (S)	*Pristipomoides auricilla*
Pink snapper	*Opakapaka* (H), *palụ-tlena lena* (S), *gadao* (G)	*Pristipomoides filamentosus*
Yelloweye snapper	*Yelloweyẹ opakapaka*, *kalekale* (H), *Palusina* (S)	*Pristipomoides flavipinnis*
Snapper	*Kalekale* (H)	*Pristipomoides sieboldii*
Snapper	*Gindai* (H, G), *palu-sega* (S)	*Pristipomoides zonatus*
Jacks		
Giant trevally	White *ulua* (H), *tarakito* (G), *sapo-anae* (S)	*Caranx ignoblis*
Black jack	Black *ulua* (H), *tarakito* (G), *tafauli* (S)	*Caranx lugubris*
Thick lipped trevally	*Pig ulua*, *butaguchi* (H)	*Pseudocaranx dentex*
Amberjack	*Kahala*	*Serioila dumerili*

Common Name	Local Name	Scientific Name
Groupers		
Blacktip grouper	*Fausi* (S), *gadau* (G)	*Epinephelus fasciatus*
Sea bass	*Hapụupụu* (H)	*Epinephelus quernus*
Lunartail grouper	*Papa* (S)	*Variola louti*
Emperors		
Ambon emperor	*Filoa-gutumumu* (S)	*Lethrinus amboinensis*
Redgill emperor	*Filoa-pạlọomumu* (S), *mafuti* (G)	*Lethrinus rubrioperculatus*
Seamount groundfish		
Alfonsin		*Beryx splendens*
Ratfish/butterfish		*Hyperoglyphe japonica*
Armorhead		*Pseudopentaceros richardsoni*

Note. G = Guam; H = Hawaii; S = American Samoa.

The Bottomfish FMP has been amended seven times since approval in 1986. These amendments are as follows:

Amendment 1 established the potential for limited access systems for bottomfish fisheries in the EEZ surrounding American Samoa and Guam.

Amendment 2 divided the EEZ around the NWHI into two zones: the Hoomalu Zone to the northwest and the Mau Zone to the southeast. The amendment also established a limited access program for the Hoomalu Zone.

Amendment 3 defined when a stock is determined to be in an overfished condition. Amendment 3 also delineated the process by which overfishing is monitored and evaluated.

Amendment 4 established regulations which require permitted vessel owners or operators to notify NMFS at least 72 hours before leaving port if they intend to fish in a 50 nautical miles "protected species study zone" around the NWHI. This notification allows federal observers to be placed on board bottomfish vessels to record interactions with protected species if this action is deemed necessary.

Amendment 5 established a bottomfish limited access program for the Mau Zone and a framework for a Community Development Program.

Amendment 6 identified and described essential fish habitat for managed species of bottomfish, discussed measures to minimize bycatch and bycatch mortality in the bottomfish fishery, and supplements Amendment 3 by providing criteria for identifying when overfishing has occurred in the fishery, as well as described fishing communities in the Western Pacific Region.

Amendment 7 brought the Bottomfish FMP into conformity with the Coral Reef Ecosystem Fishery Management Plan (CRE FMP) by prohibiting fishing for BMUS in the CRE FMP's no-take areas and amending the BMUS list to exclude species now managed under the CRE FMP.

Additional information on these amendments may be found in Section 2.3.1 of the Final Environmental Impact Statement—Bottomfish and Seamount Groundfish Fishery of the Western Pacific Region, dated May 2005.

1.3 Overfishing Determination

The MSA requires the Secretary of Commerce to annually report Congress on the status of fisheries within each regional fishery management council's geographical area of authority and identify those fisheries that are overfished or approaching a condition of being overfished (16 U.S.C 1854(e)(1)). Based MSA National Standard 1 guidelines a stock or population is subject to overfishing if the fishing mortality rate exceeds the maximum fishing mortality threshold (MFMT) for one year (50 CFR 600.310). The MFMT for Hawaii's bottomfish management unit species (BMUS) complex is specified in Amendment 6 of Bottomfish FMP.[6] Relying on the expertise and advice of NMFS' Pacific Islands Fisheries Science Center, NMFS has determined that overfishing of the bottomfish multi-species complex is occurring within the Hawaiian Archipelago, primarily in the Main Hawaiian Islands bottomfish management area (MHI). On behalf of the Secretary of Commerce, NMFS' Regional Administrator for the Pacific Islands Regional Office (PIRO) notified the Council of this overfishing determination on May 27, 2005 (70 FR 34452, June 14, 2005). As stated in the overfishing notification letter, "the MHI is the zone that contributes most of the problems in terms of both reduced biomass and overfishing." The overfishing notification letter further states, "therefore, it is likely that reducing fishing mortality here [MHI] would be the most effective means to end overfishing in the Hawaiian Archipelago."

Bottomfish in the Hawaiian Archipelago are a collection, or complex, of deep-slope snappers, groupers, and jacks. The primary species of concern are the Deep 7 bottomfish species: onaga (*Etelis corsucans*), ehu (*Etelis carbunculus*), gindai (*Pristipomoides zonatus*), kalekale (*Pristipomoides sieboldii*), hapuupuu (*Epinephelus quernes*), opakapaka (*Pristipomoides filamentosus*), and lehi (*Aphareus rutilans*). Hawaii's bottomfish fisheries are separated into two broad management sub-areas, MHI and the Northwestern Hawaiian Islands (NWHI), of which is separated into two smaller management zones; the Mau Zone and Hoomalu Zone. Nearly 80 percent of bottomfish fishing grounds in the MHI are within the waters of the State of Hawaii (0 to 3 nm offshore), and historically, bottomfish fishing in the MHI has been managed by the state. In contrast, most bottomfish habitat in the NWHI occurs in federal waters (3 to 200 nm offshore) and therefore the NWHI bottomfish fishery has been managed under the Council's Bottomfish FMP. The state's MHI management measures include bottomfish vessel registration, restricted

[6] 68 FR 46112, August 5, 2003.

fishing gears, commercial fishing reporting, recreational catch limits (5 fish combined) for two bottomfish species (onaga and ehu), and 19 restricted fishing areas where bottomfish fishing is prohibited.

Because of the time it takes to obtain and process the fisheries data, stock assessments are usually conducted on annual fisheries data that is lagging behind the current calendar year. For example, the full set of 2002 and 2003 bottomfish data was compiled and analyzed in 2005. Under the MSA National Standard 1 guidelines, Hawaii's archipelagic bottomfish multi-species stock complex is not overfished (the biomass standard using catch per unit effort [CPUE] as a proxy). Based on 2003 data, the current CPUE ratio is 0.82, above the threshold value of 0.7 established as the Minimum Stock Size Threshold (MSST). However, MSA National Standard 1 guidelines indicate that overfishing of Hawaii's archipelagic bottomfish multi-species stock complex is occurring because the ratio of current fishing mortality (F) to estimated fishing mortality at maximum sustainable yield (F_{MSY}) is exceeding the MFMT of 1.00. Hawaii's archipelagic bottomfish F ratio is obtained by adding weighted F contributions of the three management areas (MHI, Mau and Hoomalu Zones). The weighted F contributions are calculated by taking the F values for each zone (the ratio of fishing mortality from which fishing effort is often used as a proxy) multiplied by habitat factors that are estimations of the amount of bottomfish habitat in each management zone. These habitat factors are 0.447, 0.124 and 0.429 for the MHI, Mau and Hoomalu Zones, respectively.

As reported in Appendix 5 of the 2003 Bottomfish Annual Report (which uses complete data for 2002), the 2002 individual F ratios for the MHI, Mau and Hoomalu Zones were 2.33, 1.19, and 0.37, respectively. For example, multiplying 2.33 times 0.447 results in a MHI weighted F contribution of 1.041. Multiplying 1.19 times 0.124, and 0.37 times 0.429 results in a Mau Zone F contribution of 0.147 and a Hoomalu Zone F contribution of 0.158, respectively. Therefore, the addition of the individual weighted F contributions for 2002 data was 1.35, above the archipelagic overfishing threshold of 1.0. Since the completion of Appendix 5 in April 2005, PIFSC has received the full set 2003 bottomfish fishery data from the State of Hawaii's Division of Aquatic Resources. Based on 2003 bottomfish fishery statistics and the weighted F contributions from each zone, the archipelagic F ratio is determined to be 1.13, above the overfishing threshold of 1.0. Individual F ratios (without their weighted habitat factors) for MHI, Mau and Hoomalu Zones are 1.88, 0.96 and 0.39, respectively (PIFSC 2005) (See Appendix 2 for more information).

The MHI F contribution greatly exceeds those of the NWHI zones and indicates that the overfishing occurs as a result of too much fishing mortality (or effort) on the BMUS complex in the MHI. Considering the 2003 catch and effort data from each zone and their weighted factors, the Council's Bottomfish Plan Team determined that to end the overfishing, fishing effort in the MHI should be reduced by a minimum of 15 percent to lower the archipelagic F ratio from 1.13 percent down to a threshold value of 1.00 or less (Bottomfish Plan Team April 2005). As indicated earlier, the MHI is the zone that contributes most of the problems in terms of both reduced biomass and overfishing. Therefore, reducing fishing mortality in the MHI would be the most effective means to end the overfishing in the Hawaii Archipelago (70 FR 34452, June 14, 2005).

1.4 Statements of the Purpose and Need

In accordance with the MSA, the Council shall prepare and submit to the Secretary of Commerce within one year of the overfishing notification a Bottomfish FMP amendment, regulatory amendment, or proposed regulations to end overfishing for the fishery to which the identification or notice applies (16 U.S.C. 18539(e)(3)). In this case, the overfishing identification applies to Hawaii archipelagic bottomfish multi-species stock complex. The Council is preparing an amendment which will end overfishing by reducing fishing mortality for bottomfish in the Hawaiian Archipelago to below the maximum fishing mortality threshold. To achieve this objective, the fishing mortality on bottomfish in the Hawaiian Archipelago must be reduced by at least 15 percent. The MHI is the zone that contributes most of the problems in terms of both reduced biomass and overfishing. Therefore, reducing fishing mortality in the MHI would be the most effective means to end the overfishing in the Hawaii Archipelago.

1.5 Proposed Federal Action

The proposed federal action is the approval of the Bottomfish FMP amendment to end overfishing of Hawaii's archipelagic bottomfish multi-species stock complex by the Secretary of Commerce and the implementation and enforcement of the amendment's regulatory measures by NMFS. Based on the Council's recommendation at its 131st meeting (March 13 to 16, 2006), the proposed federal action would be the implementation of Alternative 3, a seasonal closure between May 1st and August 31st prohibiting the targeting, possession, landing, or selling of any of Hawaii's Deep 7 bottomfish species. If the State of Hawaii does not commit to promulgate seasonal closure regulations, the Council recommended the proposed federal action be the implementation of Alternative 2a, closure of Middle and Penguin Banks to the targeting, possession, landing, or selling of any of Hawaii's Deep 7 bottomfish species from Middle and Penguin Banks.

1.6 Action Area

The action area includes the federal, Exclusive Economic Zone (EEZ, 3 to 200 nm offshore) of the Hawaiian Archipelago. For management purposes, Hawaiian Archipelago is divided into two management sub-areas: the MHI and the NWHI (See Figure 1). The Bottomfish FMP divides the federal waters of the NWHI further into two smaller management zones: the Mau Zone and the Hoomalu Zone.

The MHI are the waters surrounding inhabited Hawaiian Islands. Approximately 80 percent of bottomfish fishing grounds in the MHI are within the waters of the State of Hawaii, 0–3 miles from shore. Bottomfish fishing in the MHI is managed by the State of Hawaii using through measures that include bottomfish vessel registration, restricted fishing gears, commercial fishing reporting, recreational catch limits for onaga and ehu, and 19 restricted bottomfish fishing areas. Approximately 3,600 vessels are registered with the State of Hawaii to conduct bottomfish fishing in the MHI.

The Mau Zone is a bottomfish limited entry zone at the southeastern end of the NWHI and

includes the waters surrounding the islands of Necker and Nihoa (See Figure 1). Nearly all deep water bottomfish habitat is located in federal waters in Mau Zone. Currently, four vessels are operating under the Mau Zone limited entry program.

The Hoomalu Zone is a limited entry zone at the center and western end of the NWHI, ranging from French Frigate Shoals to Kure Atoll (See Figure 1). Owners and operators of vessels bottomfish fishing in the Hoomalu Zone are limited by weather and the fresh seafood nature of the fishery. Vessels participating in this fishery typically operate on trips lasting up to three weeks. Nearly all bottomfish habitat in the Hoomalu Zone is located in federal waters (3 to 200 nm offshore). Currently, four vessels are operating under the Hoomalu Zone limited entry program.

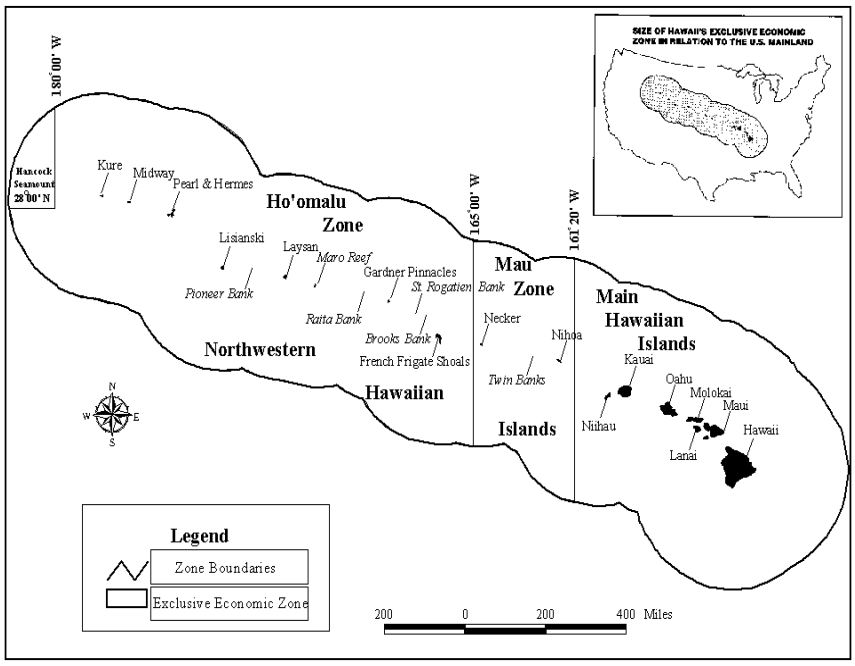

Figure 1: Map of the Hawaii Archipelago Showing the Northwestern Hawaiian Islands (NWHI) and the Main Hawaiian Islands (MHI) Bottomfish Management Areas

Despite delineation of these bottomfish management areas and zones, the bottomfish species complex in the entire Hawaiian Archipelago is evaluated under MSA as a single archipelagic-wide, multi-species stock complex.. Management criteria, such as whether overfishing is occurring applies to the stock complex rather than to the three sub-area management zones or to individual species either on an archipelagic basis or within the sub-areas. However, the condition of the BMUS complex can be further evaluated at finer scales based on the management sub-areas, and based on the evaluation at finer scales, management actions have historically been taken to address management issues within the sub-areas or zones. For example, Amendments 2 and Amendment 5 to the Bottomfish FMP, created limited access programs for the Hoomalu and Mau Zones, respectively, with the objective to reduce fishing capacity in those zones.

As discussed in Section 1.3, The MHI F ratio greatly exceeds those of the NWHI zones and indicates that the overfishing problem is primarily a result of too much fishing mortality (or effort) on the BMUS complex in the MHI. The MHI is the zone that contributes most of the problems in terms of both reduced biomass and overfishing. Therefore, reducing fishing mortality in the MHI would be the most effective means to end the overfishing in the Hawaii Archipelago (70 FR 34452, June 14, 2005). Based on 2003 catch and effort data from each zone and as well as their weighted factors, the Council's Bottomfish Plan Team determined that at least a 15 percent reduction in fishing mortality (or effort) in the MHI would likely end the bottomfish overfishing in the Hawaiian Archipelago.

1.7 Public Participation

Meetings that included discussion of the bottomfish data collection, overfishing determination, and proposed solutions included the following: the 127th Council meeting held May 31 to June 2, 2005; the 129th Council meeting held November 8 to 11, 2005; the 89th Scientific and Statistical Committee (SSC) meeting held May 17 to 19, 2005; the 90th SSC meeting held October 18 to 20, 2005; the Bottomfish Plan Team meeting held April 26 to 28, 2005; other meetings with members of the Hawaii Bottomfish Plan Team were held July 18, August 3, August 8, September 27, and October 21, 2005; several targeted bottomfish fishermen meetings were held November 17, 22, and 29, November 25, 2005, and December 1, 2005; Public meetings were held the week of December 12, 13, 14, 15, and 20, 2005 in Hilo, Kona, Kauai, Maui, and Honolulu, Hawaii; respectively.

The National Environmental Policy Act (NEPA) regulations (40 CFR 1501.7) state "[t]here shall be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. This process shall be termed scoping." The formal scoping process for this Draft Supplemental Environmental Impact Statement (Draft SEIS) was initiated with a publication of a Notice of Intent in the *Federal Register* on November 28, 2005 (70 FR 71258). This notice invited the public to attend public scoping meetings to provide their comments and perspectives regarding the proposed action and related issues.

As announced in the Notice of Intent, local newspapers advertisements, radio announcements, and meeting flyers, 7 public scoping meetings were held across the MHI in January 2006. The dates and locations of the meetings were:

1. Lanai, Hawaii—Friday, January 6, 2006 from 6:00 to 9:00 pm at the Lanai High and Elementary School cafeteria. Lanai City, Lanai.[*]

2. Molokai, Hawaii—Saturday, January 7, 2006, 6:00 to 9:00 pm at the Mitchell Pauole Center Conference Room, Kaunakakai, Molokai.[*]

3. Hilo, Hawaii—Monday, January 9, 2006, from 6:00 to 9:00 p.m. at the University of Hawaii,

[*] The Lanai and Molokai meetings were not included in the November 28, 2005 *Federal Register* notice, but as well as the others, were advertised in local newspapers and meeting flyers.

Hilo Campus Center, 200 W. Kawili St., Hilo, Hawaii 96720;

4. Kona, Hawaii—Tuesday, January 10, 2006, from 6:00 to 9:00 p.m. at the King Kamehameha Hotel, 75-5660 Palani Rd., Kona, HI 96740;

5. Maui, Hawaii—Wednesday, January 11, 2006, from 6:00 to 9:00 p.m. at the Maui Beach Hotel, 170 Kaahumanu Ave., Kahului, HI 96732;

6. Oahu, Hawaii—Thursday, January 12, 2006, from 6:00 to 9:00 p.m. at the Ala Moana Hotel, 410 Atkinson Dr., Honolulu, HI 96815; and

7. Kauai, Hawaii—Friday, January 13, 2006, from 6:00 to 9:00 p.m. at Chiefess Kamakahelei Middle School, 4431 Nuhou St., Lihue, HI 96766.

1.8 Related NEPA Documents

This section briefly discusses related NEPA documents to this Draft SEIS for an amendment under the Bottomfish FMP to end overfishing in the bottomfish complex in the Hawaiian Archipelago.

1.8.1 Final Environmental Impact Statement—Bottomfish and Seamount Groundfish Fishery of the Western Pacific Region, May 2005

The environmental impact on the Bottomfish FMP was originally evaluated in an environmental assessment in 1986. Subsequent environmental assessments or NEPA categorical exclusions were completed for each of the amendments to the Bottomfish FMP since 1986. With the dated nature of the original 1986 environmental assessment, along with environmental assessments for subsequent amendments, there was a need for an updated environmental impact analysis that provided an overview of all the issues and management alternatives for the Western Pacific Region bottomfish and seamount groundfish fisheries.

Pursuant to NEPA, a Notice of Intent was issued in the *Federal Register* on August 16, 1999, to prepare an Environmental Impact Statement (EIS) for the management of the bottomfish and seamount groundfish fisheries of the Western Pacific Region (64 FR 44476). Public scoping for the draft EIS indicated that the primary management issues concerned the NWHI bottomfish fishery; therefore, the management alternatives primarily involved that fishery. The availability for public review and comment of the draft EIS was issued in the *Federal Register* on October 17, 2003 (68 FR 59787). Through the Environmental Protection Agency, NMFS published a notice announcing the availability of the Final Environmental Impact Statement (FEIS) on June 17, 2005 (70 FR 35275).

Pursuant to NEPA regulations (40 CFR 1500 et seq.), this DSEIS was prepared because the bottomfish overfishing determination added significant new circumstances and information relative to the management of Hawaii's bottomfish stocks. This Draft SEIS, which analyzes measures to end overfishing in the bottomfish complex in the Hawaiian Archipelago, supplements the 2005 FEIS. Where appropriate, this DSEIS incorporates by reference relevant

sections and analysis contained in the May 2005 FEIS.[7]

1.8.2 Draft Programmatic Environmental Impact Statement – Towards an Ecosystem Approach for the Western Pacific Region: From Species-Based Fishery Management Plans to Place-Based Fishery Ecosystem Plans

On November 10, 2005 (70 FR 68443), the Environmental Protection Agency published a notice announcing the availability for public review of the Draft Programmatic Environmental Impact Statement—Towards an Ecosystem Approach for the Western Pacific Region: From Species-Based Fishery Management Plans to Place-Based Fishery Ecosystem Plans, dated October 27, 2005. The public comment period ended on December 27, 2005. Based on the preferred alternatives in the draft programmatic environmental impact statement (DPEIS), the proposed Federal action will be the realignment of the existing fishery regulations contained in the Western Pacific Region's five species-based fishery management plans (FMPs) into geographically based fishery ecosystem plan (FEP) regulations. No substantive changes to current fishing regulations would occur under the proposed Federal action. Although the FEPs and the DPEIS are under an ongoing process, the federal action proposed in that DPEIS does not preclude the Council's ability to prepare and submit to NMFS an amendment to the Bottomfish FMP to end overfishing of the bottomfish complex in the Hawaiian Archipelago.

1.9 Relevant Laws and Executive Orders

The conservation and management of the living marine resources in the United States is entrusted to NMFS, which carries out its charge under laws, treaties, and legislative mandates from the U. S. Congress and the president. The most relevant of these to the current action are briefly discussed in Appendix 1.

[7] For a copy of the May 2005 FEIS contact William L. Robinson or Kitty M. Simonds, or visit www.wpcouncil.org for an electronic version.